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Uttlesford District Council

Chief Executive: Peter Holt

To all Members of Uttlesford District Council, you are hereby summoned to attend the extraordinary meeting of the District Council to be held as shown below to deal with the business set out in the agenda.

Chief Executive: Peter Holt

Extraordinary Council

Date: Wednesday, 17th January, 2024

Time: 7.00 pm

Venue: Council Chamber - Council Offices, London Road, Saffron Walden, CB11 4ER

Chair: Councillor G Driscoll

Members: Councillors M Ahmed, A Armstrong, H Asker, G Bagnall, S Barker, N Church, M Coletta, A Coote, C Criscione, J Davey, A Dean, B Donald, J Emanuel, J Evans, C Fiddy, M Foley (Vice-Chair), R Freeman, R Gooding, N Gregory, N Hargreaves, R Haynes, P Lees, M Lemon, J Loughlin, T Loveday, S Luck, C Martin, D McBirnie, J Moran, E Oliver, R Pavitt, A Reeve, N Reeve, B Regan, G Sell, R Silcock, M Sutton and M Tayler

Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements, subject to having given notice by 12 noon two working days before the meeting. A time limit of 3 minutes is allowed for each speaker.

Those who would like to watch the meeting live can do so by accessing the live broadcast [here](#). The broadcast will start when the meeting begins.

AGENDA

PART 1

Open to Public and Press

1 Apologies for Absence and Declarations of Interest

To receive any apologies and declarations of interest.

2 Requisition for an Extraordinary Meeting: Response to the Letter Received from the Secretary of State for Levelling up, Housing and Communities 4 - 8

We the undersigned, under Part 4 paragraph 3.1.5 of the Constitution, call for an extraordinary meeting of the Council to discuss the Leader's proposed response to the letter received from the Rt Hon Michael Gove, Secretary of State for Levelling up, Housing and Communities dated 19th December 2023. The purpose of the meeting is for the Leader to present her proposed response and to answer questions on the proposed response. The meeting to be held before any response is sent.

Councillors
Susan Barker
Tom Loveday
Ray Gooding
Mark Lemon
Nick Church
Brian Regan

MEETINGS AND THE PUBLIC

Members of the public are welcome to attend any Council, Cabinet or Committee meeting and listen to the debate. All agendas, minutes and live broadcasts can be viewed on the Council's website, through the [Calendar of Meetings](#).

Members of the public and representatives of Parish and Town Councils are permitted to make a statement or ask questions at this meeting. If you wish to speak, you will need to register with Democratic Services by midday two working days before the meeting. There is a 15-minute public speaking limit and 3-minute speaking slots will be given on a first come, first served basis.

Guidance on the practicalities of participating in a meeting will be given at the point of confirming your registration slot. If you have any questions regarding participation or access to meetings, please call Democratic Services on 01799 510 369/410/460/548. Alternatively, enquiries can be sent in writing to committee@uttlesford.gov.uk.

The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

Agenda and Minutes are available in alternative formats and/or languages. For more information, please call 01799 510510.

Facilities for people with disabilities

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate. If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact committee@uttlesford.gov.uk or phone 01799 510 369/410/460/548 as soon as possible prior to the meeting.

Fire/Emergency Evacuation Procedure

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest designated fire exit. You will be directed to the nearest exit by a designated officer. It is vital that you follow their instructions.

For information about this meeting please contact Democratic Services

Telephone: 01799 510548, 510369, 510410 or 510460

Email: Committee@uttlesford.gov.uk

General Enquiries

Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

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Website: www.uttlesford.gov.uk

Agenda Item 2

Statement from Cllr Lees: Requisition for an Extraordinary Council Meeting

17 January 2024

The meeting was called for “the Council to discuss the Leader’s proposed response to the letter received from the Rt Hon Michael Gove, Secretary of State for Levelling up, Housing and Communities dated 19th December 2023. The purpose of the meeting is for the Leader to present her proposed response and to answer questions on the proposed response. The meeting to be held before any response is sent.”

Response matters to consider:

- The Secretary of State’s Intervention Letter of 19th December 2023, in which he required that the authority sends him within 12 weeks our timetable for the Local Plan delivery, known as our Local Development Scheme (LDS).
- The Council had already published and agreed this LDS providing that timetable on 16th October 2023.
- The authority is currently on schedule to deliver against this timetable, with the Draft Local Plan having been approved by full Council on 30th October 2023, and the public consultation period having closed on 18th December 2023, the day before his letter, and exactly on the published schedule. Regular and supportive meetings have been held between Department officials and our council officers. Therefore, the intervention letter was a surprise.
- That for most of the 19 years the Secretary of State refers to in his letter in which he notes “the poor progress your authority has made towards adopting a plan” Uttlesford District Council was run by Conservative administrations, including in its Cabinet the current Leader of the Conservative opposition, Cllr Susan Barker, who was the portfolio holder responsible for both failed Plans, and who has requisitioned this extraordinary Council meeting.
- That the last plan submitted under Cllr Barker’s responsibility was rejected by the Inspectors in their letter of 10th January 2020 including the words ‘*Unfortunately, despite the additional evidence that has been submitted during the examination and all that we have now read and heard in the examination, including the suggested main modifications to the plan (ED41) put forward by the Council, we have significant concerns in relation to the soundness of the plan*’. Their paragraph 113 summarised fifteen ‘main concerns’.
- That the current draft Local Plan is evidence based, and has been prepared without any behind-the-scenes political fixes that owe more to advancing local party-political interests than to best serving the interests of all residents of the district.

- That the planning system is weighted in favour of developers, with the majority of applications being approved. The government, instead of seeking to create even more planning permissions on top of the many thousands of unbuilt ones this council, and many others, already have, should be strongly requested to introduce measures requiring much faster construction of the housing already permitted, which councils currently have no power to do.
- That the government should again be requested follow the lead of the Scottish Government and Welsh Assembly and abolish Right to Buy, and notes that the last year 300,000 houses were built was 1979, just before mass social house building was effectively ended by the Housing Act 1980. There are 1.3 million households waiting for social housing. Source Table 600, as at March 2023: Live tables on rents, lettings and tenancies - GOV.UK (www.gov.uk), and showing an increase of 150,000 over three years. Councils are the required providers of social housing but are powerless to build on any scale. Government measures to promote this would be most welcome.
- That the 13680 new housing number required by the DLUHC which Uttlesford must allocate in its Local Plan bears no relation to the infrastructure constraints and challenges in the district, such as the scarcity of water, grossly inadequate sewerage systems polluting our chalk streams, pressure on roads, a motorway which bypasses the district, no rail service to the largest settlements, insufficient NHS GP and dentistry provision, no A&E hospital, no full police station or tertiary education, medieval settlements and constraining topographies and valued landscapes.
- That notwithstanding all this, Uttlesford's draft Local Plan is a genuine, sincere and professional effort to balance the constraints, none of which the council is directly responsible for, or can mandate or fund their resolution, or largely require developers and landowners to fund, and to take back control of planning for our locally-accountable, cross-party Planning Committee.

The proposed draft letter is attached and has been published with the agenda.



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XX January 2024

Rt Hon Michael Gove MP
Secretary of State for Levelling Up, Housing &
Communities
2 Marsham Street
London
SW1P 4DF

Dear Mr Gove

Section 15 Planning & Compulsory Purchase Act 2004 Re: Uttlesford District Council Local Development Scheme

I refer to your letter of 19 December 2023 and your direction under s15(8)(b) of the above Act. In your letter you direct that Uttlesford District Council revise its Local Development Scheme (LDS) within 12 weeks.

In terms of background, the council adopted its current local plan in 2005. The council submitted replacement local plans for examination in 2014 and 2019 however, in both cases Planning Inspectors recommended they be withdrawn. Since 2020, the council has been working on a new draft local plan. We held a public consultation on 'Issues and Options' in spring 2021 and a 'Regulation 18' consultation at the end of 2023.

The council's initial LDS was revised in July 2022, October 2022 and more recently, in October 2023 with the timetable amended each time. Section 15 of the Act allows for, and thus anticipates, revisions to an LDS. In each case the changes to the timetable have allowed for development opportunities to be explored, robust evidence to be prepared, and the council's spatial strategy improved and tailored to best achieve the district's development needs.

When revising the LDS in 2022 and 2023 the council was still considering various options in terms of the spatial strategy intended to form the basis of the emerging local plan. Now, the council has a far more settled position in terms of our spatial strategy. The strategy is published and whilst we can expect various changes between now and Regulation 19, we do not consider that there will be fundamental change to the strategy. This significantly reduces the prospect of further slippage against our timetable. Previous timetable slippage was also, in-part, a result of a lack of staffing resource and reliance on short term contracted staff. The council has made significant progress in this respect. We have attracted high calibre, permanent staff by working with Public Practice and using direct recruitment campaigns. This further reduces the prospect of slippage.



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To further de-risk the process, council officers have been liaising with our retained legal counsel on a regular basis in order to identify possible issues early on. Officers also met with your Officials following receipt of your letter. Your Officials have offered to arrange an 'advisory visit' by the Planning Advisory Service (PAS) in order that PAS can act as a critical friend and further highlight any potential issues in order that they can be addressed ahead of the submission of the plan.

The recent changes to the National Planning Policy Framework (NPPF), and other planning-related announcements, will not affect our ability to achieve the published timetable. Indeed, the council welcomes the measures set out in paragraph 226 of the new NPPF with regards to having to demonstrate a four-year, rather than five-year, housing land supply once Regulation 18 or 19 stage is reached with both a policies map and proposed allocations. We look forward to taking advantage of this provision by meeting our timetable and publishing a Regulation 19 plan with policies map and proposed allocations this summer.

At the council's Cabinet meeting of 16 October 2023, Cabinet voted to agree our October 2023 LDS timetable which is challenging but achievable. Cabinet noted that in the absence of an up-to-date local plan planning decision-making had been difficult and that only by having a new local plan can the council plan sustainably for the future and secure the necessary infrastructure needed to support development. We are aware of the government's intention to make changes to the approach to plan-making and that transitional arrangements have been set out giving councils until June 2025 to submit plans under the current system. The council is on track to submit its local plan for examination December 2024; six months ahead of the transitional arrangements ending. We envisage that the local plan will then be adopted in early 2026. This is set out in our October 2023 LDS, which we have reviewed following your letter.

As stated above, the first significant step in achieving this timetable has been met successfully with our draft Regulation 18 Plan produced, agreed for consultation by majority vote at Council, and published for consultation on 3 November 2023. As required under S15 of the Act, the draft plan will provide full and effective coverage both geographically and with regard to subject matter, to Uttlesford district. It is a 'full draft' plan, which has allowed our residents and third parties to make detailed and meaningful responses and will enable the council to move swiftly to Regulation 19 publication and then on to submission.

I attach the latest version of Uttlesford's LDS. A copy can also be found at <https://www.uttlesford.gov.uk/article/4969/Local-Development-Scheme>. I also attach a copy of our local plan project plan which sets out the detailed programme of work going forward.

I trust that this demonstrates the council's commitment and capability in performing against the current LDS timetable and getting a plan in place under the current system.

Please do not hesitate to contact me should you require any further information.



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Yours Sincerely

Cllr Petrina Lees
Leader
Uttlesford District Council

DRAFT

